

Membership Balance Plan  
Veterans' Advisory Board on Dose Reconstruction

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, under the provisions of Section 601(c) of Title VI of Public Law 108-183, the Federal Advisory Committee Act (FACA) (5 U.S.C., Appendix, as amended), and 41 C.F.R. § 102-3.50(a), established the Veterans' Advisory Board on Dose Reconstruction ("the Board").
2. Mission/Function: The Board shall provide review and oversight of the Radiation Dose Reconstruction Program and make such recommendations on modifications in the mission, procedures, and administration of the Radiation Dose Reconstruction Program as it considers appropriate, as a result of the audits conducted under the authority of Section 601(c)(3)(A) of Title VI of Public Law 108-183. The functions of the Board are as follows:
  - a. Conduct periodic, random audits of dose reconstructions under the Radiation Dose Reconstruction Program and of decisions by the Department of Veterans Affairs (VA) on claims for service connection of radiogenic diseases;
  - b. Assist the Department of VA and the Defense Threat Reduction Agency (DTRA) in communicating to veterans information on the mission, procedures, and evidentiary requirements of the Radiation Dose Reconstruction Program;
  - c. Carry out such other activities with respect to the review and oversight of the Radiation Dose Reconstruction Program as the Secretary of Defense and Secretary of VA shall jointly specify; and
  - d. Make recommendations on modifications to the mission and procedures of the Dose Reconstruction Program as the Board considers appropriate, as a result of the audits conducted pursuant to paragraph (a) above.
3. Points of View: The Board, pursuant to Section 601(c)(2) of Title VI of Public Law 108-183, shall be composed of not more than 20 members who are made up of the following:
  - a. At least one expert in historical dose reconstruction of the type conducted under the Radiation Dose Reconstruction Program;
  - b. At least one expert in radiation health matters;
  - c. At least one expert in risk communications matters;
  - d. A representative of the DTRA and a representative of the Department of VA; and
  - e. At least three veterans, including at least one veteran who is a member of an atomic veterans group.

DoD has found that viewing complex issues through a multi-discipline advisory committee provides DoD and, more importantly, the American public with a broader understanding on which to base subsequent policy decisions.

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DoD, in selecting potential candidates for the Board, reviews the educational and professional credentials of individuals and bases its selection on this review and the subject matters handled by the Board.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest. The Secretary of Defense and the Secretary of VA will jointly approve the appointment of members to the Board. Appointment of Board members is done by DoD according to existing DoD policies and procedures. Board members, who are not full-time or permanent part-time Federal employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and to serve as special government employee (SGE) members. Board membership shall be renewed on an annual basis by the Secretary of Defense and the Secretary of VA.

The Board's membership balance is not static and the Secretary of Defense and the Secretary of VA may change the membership based upon work assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)). In addition, DoD, unless otherwise directed by an Act of Congress or Presidential directive, does not use representative members on DoD established or supported advisory committees.

4. Other Balance Factors: None.
5. Candidate Identification Process: DoD and the Department of VA, in selecting potential candidates for this advisory committee, reviews the educational and professional credentials of individuals with extensive professional experience and expertise with regards to the requirements set forth in paragraph three above. Potential candidates are reviewed and vetted through senior leaders within DoD, Department of VA, and the DTRA prior to their joint appointment by the Secretary of Defense and Secretary of VA.

Prior to nominating the potential candidates, the list of candidates will undergo a review by the Office of General Counsel of the DoD and the Office of the Advisory Committee Management Officer to ensure compliance with Federal and DoD governance requirements, including compliance with the Board's charter and membership balance plan. Following this review, the USD(AT&L), as the Board's sponsor, formally nominates the potential candidates to the Secretary of Defense and the Secretary of VA for approval.

Following approval by the Secretary of Defense and the Secretary of VA, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members who are appointed as SGE members.

Board and subcommittee member vacancies will be filled in the same manner as described in the previous three paragraphs. The Secretary of Defense or the Deputy Secretary of Defense, in consultation with the Secretary of VA, may approve the appointment of Board members for one-to-four year terms of service; however, no member, unless authorized by the Secretary of Defense, may

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serve more than two consecutive terms of service. This same term of service limitation also applies to any authorized subcommittees for the Board.

6. Subcommittee Balance: DoD, when necessary and consistent with the Board's mission and DoD policies and procedures, may establish subcommittees, task forces, and working groups to support the Board.

The Secretary of Defense or the Deputy Secretary of Defense, in consultation with the Secretary of VA, shall approve the appointment of subcommittee members in the same manner as members of the Board. Individuals considered for appointment to any subcommittee of the Board may come from the Board itself or from new nominees, as recommended by the Board's sponsor and based upon the subject matters under consideration, but they must be approved by the Secretary of Defense and the Secretary of VA before participating in any subcommittee work.

Subcommittee members, if not full-time or part-time Government employees, shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109, and shall serve as SGE members, whose appointments must be jointly renewed by the Secretary of Defense and Secretary of VA on an annual basis.

Currently, DoD has approved the following permanent Subcommittees to the Board to meet the requirements of Public Law 108-163. These Subcommittees were determined based on the mission and function of the Board. The process for determining membership balance for the subcommittees is the same as for determining Board membership. The members of the subcommittees are drawn from the membership of the parent Board and, as such, the subcommittee members must meet one or more of the points of view or functions listed in paragraph three above as it pertain to the functions of the subcommittee's work:

- a. The Subcommittee on DTRA Dose Reconstruction Procedures shall be composed of no more than four members. This Subcommittee, when tasked according to DoD policies and procedures, is responsible for reviewing and recommending to the Board improvements to the dose reconstruction process.
- b. The Subcommittee on VA Claims Adjudication Procedures shall be composed of no more than four members. This Subcommittee provides recommendations to the Board on improving the process for handling atomic veterans claims.
- c. The Subcommittee on Quality Management and VA Process Integration with DTRA Nuclear Test Personnel Review Program shall be composed of no more than four members. This Subcommittee, when tasked according to DoD policies and procedures, is responsible for providing advice to the Board on quality issues with DTRA's nuclear test personnel review and the Department of VA in its claims adjudication process for atomic veterans.
- d. The Subcommittee on Communication and Outreach shall be composed of no more than four members. This Subcommittee, when tasked according to DoD policies and procedures, is responsible for providing the Board with advice on matters of veteran outreach and communication programs.

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7. Other: As nominees are considered for appointment to the Board, the DoD adheres to the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: February 14, 2013